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APPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/747,961	17.961 12/31/2003		Eugene George Olczak	040849-0248	6224	
22428	7590	08/23/2006		EXAMINER		
FOLEY AND LARDNER LLP SUITE 500				LEE, GUIYOUNG		
3000 K STREET NW				ART UNIT	PAPER NUMBER	

20,73

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)
10/747,961	OLCZAK, EUGENE GEORGE
Examiner	Art Unit
Guiyoung Lee	2875

	Guiyoung Lee	2875	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED <u>10 August 2006</u> FAILS TO PLACE THIS AI	PPLICATION IN CONDITION FOR	ALLOWANCE.	
The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	ving replies: (1) an amendment, aff tice of Appeal (with appeal fee) in c	idavit, or other evider compliance with 37 C	ce, which FR 41.31; or (3)
a) The period for reply expires 3 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	dvisory Action, or (2) the date set forth ater than SIX MONTHS from the mailin (b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejecti	on.
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office laternay reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da	of the fee. The approprinally set in the final Offi	ate extension fee ce action; or (2) as
2. The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exte a Notice of Appeal has been filed, any reply must be filed	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th	
AMENDMENTS	hut wing to the data of filing a brief	will not be entered b	
<ol> <li>The proposed amendment(s) filed after a final rejection,</li> <li>(a) They raise new issues that would require further co</li> <li>(b) They raise the issue of new matter (see NOTE below</li> </ol>	nsideration and/or search (see NO		ecause
(c) They are not deemed to place the application in befappeal; and/or	•	ducing or simplifying	the issues for
(d) They present additional claims without canceling a		ected claims.	
NOTE: (See 37 CFR 1.116 and 41.33(a)).			
<ol> <li>The amendments are not in compliance with 37 CFR 1.1</li> <li>Applicant's reply has overcome the following rejection(s)</li> </ol>		impliant Amendment	P10L-324).
<ol> <li>Newly proposed or amended claim(s) would be all non-allowable claim(s).</li> </ol>	llowable if submitted in a separate,	timely filed amendme	nt canceling the
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:		ll be entered and an e	explanation of
Claim(s) allowed: 4.			
Claim(s) objected to: <u>5,11,13,15 and 17</u> . Claim(s) rejected: <u>1-3,6-10,12,14 and 16</u> .			
Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE  3. ☐ The affidavit or other evidence filed after a final action, bu	it hafara or on the data of filing a N	ation of Annual will no	t be entered
because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e).	d sufficient reasons why the affidat	vit or other evidence is	s necessary and
The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appe y and was not earlier presented. S	al and/or appellant fa ee 37 CFR 41.33(d)(	ls to provide a l).
10. The affidavit or other evidence is entered. An explanation of the control	n of the status of the claims after e	ntry is below or attack	ned.
<ol> <li>The request for reconsideration has been considered bu <u>See Continuation Sheet.</u></li> </ol>	it does NOT place the application in	n condition for allowa	nce because:
12. Note the attached Information Disclosure Statement(s).  13. Other:	(PTO/SB/08 or PTO-1449) Paper )	(s)	
	,	dra O'Shea	
	, ,	ry Patent Examiner	
	Technol	ogy Center 2800	

Continuation of 11. does NOT place the application in condition for allowance because: Yamashita's prism structure has two curved surface structure, and light incident from the one curved surface structure are internally totally reflected by the other curved surface structure. Further, each prism has a vertical angle in a range of 50 to 70 degree. Therefore, the one curved surface structure function is modulated by the other curved surface structure according to the particular vertical angle. Furthermore, as broadly interpreted the claimed limitation, the surface structure function is random..